THE HON'BLE Smt. JUSTICE T.MEENA KUMARI

AND

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION No. 27932 OF 2007

O R D E R: **(Per THE HON'BLE Smt. JUSTICE T.MEENA KUMARI)**

Heard the learned counsel for the parties and with their consent, the writ petition is being disposed of at this stage.

The controversy is that pending an appeal, application for stay was dismissed by the Competent Authority. We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending Appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the Authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks from the date of receipt of a copy of this order. For six weeks, there shall be an unconditional stay and stay shall

continue till disposal of the appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

The writ petition is accordingly disposed of. No costs.

_____

T.MEENA KUMARI, J.

_____

G.ROHINI, J.

December 27, 2007

Copy in four days.

//BO//

MVB.